IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 11052 of 2005

Between:

Kolisetty Sampoorna Rao, S/o. K. Guravaiah,
C/o Maruthi Estates, Piduguralla, Guntur District

..... PETITIONER

AND

1 Tax Recovery Officer, Range-I, Guntur
2 The Commissioner of Income Tax, Guntur Charge, Guntur

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction one in the nature of Mandamus declaring that the recovery proceedings initiated by the Tax Recovery officer, Range-I, Guntur by issuing notice in SR. No. 11/94-95 dated 05-05-2005 in form Nos. ITCP 13 and ITCP 17 in terms of rules 38, 52(2) and 53 of the Second Schedule are bad in law in view of the limitation prescribed under rule 68B of the Second Schedule to the Income Tax Act, 1961 and pass such other order or orders.

Counsel for the Petitioner:MR.A.V.KRISHNA KOUNDINYA

Counsel for the Respondents: MR.B.NARASIMHA SARMA , STANDING COUNSEL FOR INCOME TAX

The Court made the following :

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ORDER: **(per the Hon'ble Sri Justice B.Sudershan Reddy)**

Sri A.V.Krishna Kaundinya, learned counsel for the petitioner seeks permission of this Court to withdraw this Writ Petition. Leave is accordingly granted.

In the result, the Writ Petition shall stand dismissed without any order as to costs. Consequently, the interim order earlier granted by this court shall stand vacated.

(B.SUDERSHAN REDDY, J)

(RAMESH RANGANATHAN, J)

Dt: 09.06.2005

bsv/ks

To

1 Tax Recovery Officer, Range-I, Guntur
2 The Commissioner of Income Tax, Guntur Charge, Guntur

3 Two CD copies